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Docket No.: 023189.0101PTUS  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Lutz Freitag

Application No.: 10/771,803

Confirmation No.: 3335

Filed: February 4, 2004

Art Unit: 3771

For: TRACHEAL CATHETER AND  
PROSTHESIS AND METHOD OF  
RESPIRATORY SUPPORT OF A PATIENT

Examiner: T. K. Mitchell

INFORMATION DISCLOSURE STATEMENT (IDS)

Customer Service Window, MS Amendment  
U.S. Patent and Trademark Office  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia 22314

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

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One or more reference cited herein is a related foreign application. An English language version of the foreign applications is attached for the Examiner's information. See References: WO 2005/014091 is the English Language equivalent to CN 200480029872, DE 10337138.9, EP 1654023, IN 317/KOLNP/06, and JP 2006/522883.

One or more references cited herein was cited in the International Search Report for WO 2005/014091, dated January 17, 2005. A Copy of the of the International Search Report is attached for the Examiner's information. See References DE 19626924, EP 0778035, US 5,400,778, and US 5,184,610, which were previously submitted.

In accordance with 37 CFR 1.98(a)(3)(ii), an English abstract is provided on the face of the non-English reference Rothe, et al. Pneumologie, 1996, Vol. 50, No. 10, pp. 700-02.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Examiner is advised that the following applications contain subject matter that may be related to the present application, in addition to any previously cited. By bringing these applications to the Examiner's attention, Applicant does not waive the confidentiality provisions of 35 U.S.C. § 122.

Application Number	Filing Date	Art Unit
60/924,514	May 18, 2007	
60/960,370	September 26, 2007	
60/960,392	September 26, 2007	

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Credit Card in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or

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be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-2228, under Order No. 023189.0101PTUS.

Dated: April 17, 2008

Respectfully submitted,

By 

Michele V. Frank

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